

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 /075 W

-----031642Z 111965 /43

O 031555Z MAY 77

FM AMEMBASSY CAPE TOWN

TO SECSTATE WASHDC IMMEDIATE 6047

INFO AMEMBASSY BONN

AMEMBASSY DAR ES SALAAM

AMEMBASSY GABORONE

AMEMBASSY LAGOS

AMEMBASSY LONDON

AMEMBASSY LUSAKA

AMEMBASSY MAPUTO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY PRETORIA

USMISSION USUN NEW YORK IMMEDIATE

C O N F I D E N T I A L CAPE TOWN 0693

E.O. 11652: GDS

TAGS: PFOR SF US XA WA

SUBJ: FOLLOW-UP ON NAMIBIA TALKS

REF: CAPE TOWN 0666

1. THE AMBASSADORS OF THE FIVE MET MAY 2 TO CONSIDER THE FOLLOW-UP PROCEDURES OUTLINED IN REFTEL AND THE PROBLEMS POSED BY LEAKS TO THE PRESS ON LAST WEEK'S TALKS WITH THE SAG. THE MEETING WAS DEVOTED PRIMARILY TO PARA 5 REFTEL ON COLLECTION OF ALL POSSIBLE INFORMATION ON PLITICAL PRISONERS AND DETAINEES AND ALL LEGISLATION AND REGULATIONS WHICH MIGHT IMPEDE THE FULL PARTICIPATION OF ALL NAMIBIANS IN THE POLITICAL PROCESS.

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IT WAS AGREED THAT THE US AND UK EMBASSIES WOULD PROMPTLY COORDINATE DRAFTING OF REPORTS ON THESE SUBJECTS BASED ON MATERIAL PRESENTLY AVAILABLE FROM THE FILES OF THE FIVE EMBASSIES AND FROM LOCAL SOURCES, RECOGNIZING THAT MORE COMPLETE DATA WOULD PROBABLY HAVE TO BE ACQUIRED AT WINDHOEK ITSELF.

2. WITH RESPECT TO LEGISLATION, THE GROUP PRELIMINARILY IDENTIFIED CERTAIN BASIC ACTS AS CLEARLY OF CENTRAL CONCERN: THE TERRORISM ACT, THE RIOTOUS ASSEMBLIES ACT, THE STATE PRESIDENT'S PROCLAMATION R17 OF 1972 APPLICABLE TO OVAMBOLAND AND LATER EXTENDED TO KAVANGO AND CAPRIVI, AND THE INTERNAL SECURITY ACT. BEYOND THESE ARE INNUMERABLE APARTHEID AND CENSORSHIP LAWS WHICH IN WHOLE OR IN PART AFFECT FREEDOM OF MOVEMENT, ASSEMBLY, PRESS AND SPEECH.

3. THE FIVE AMBASSADORS TOOK COGNIZANCE OF THE FACT THAT AS IMPORTANT AS THE LEGISLATION ITSELF IS THE BROAD DISCRETIONARY POWER OF THE AUTHORITIES IN THE ADMINISTRATION OF THE LAWS WITH WHICH WE ARE CONCERNED. INCLUDED IN THE RESEARCH WILL BE PERTINENT ILLUSTRATIVE EXAMPLES OF HOW MUCH DISCRETIONARY POWER HAS BEEN USED OR MIGHT BE USED TO CURTAIL FREEDOM OF MOVEMENT AND EXPRESSION. THE AIM WILL BE TO SUPPLEMENT AS COMPREHENSIVELY AS POSSIBLE THE WEALTH OF MATERIAL ALREADY AVAILABLE TO THE DEPARTMENT AND THE UN SECRETARIAT CONCERNING LEGISLATION APPLICABLE TO NAMIBIA.

4. USING THE AMNESTY INTERNATIONAL LISTING AS A STARTING POINT, WE ARE SEEKING TO IDENTIFY POLITICAL PRISONERS AND DETAINEES IN FOUR CATEGORIES: (1) PERSONS WHO HAVE BEEN CHARGED OR CONVICTED AND IMPRISONED FOR POLITICALLY RELATED ACTIVITIES, ALTHOUGH SAG MAINTAINS THAT IT HAS NO POLITICAL PRISONERS; (2) PERSONS DETAINED

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UNDER SECURITY LEGISLATION ON SUSPICION OF ACTIVITIES ENDANGERING STATE SECURITY OR AS WITNESSES WHO MAY HAVE INFORMATION REGARDING SUCH ACTIVITIES; (3) PERSONS DETAINED IN THE OVAMBO-KAVANGO-CAPRIVI OPERATIONAL AREA IN CONNECTION WITH "TERRORIST" OR RELATED ACTIVITIES; AND (4) NAMIBIANS IN DETENTION OUTSIDE NAMIBIA AND SOUTH AFRICA, SUCH AS THE SWAPO DISSIDENTS HELD IN ZAMBIA AND TANZANIA.

5. PROVISION OF COMPLETE AND WHOLLY RELIABLE LISTS FOR CATEGORIES (1), (2), AND (3) WOULD REQUIRE THE ASSISTANCE OF THE SAG. THIS IS PARTICULARLY TRUE OF CATEGORY (3) SINCE THE POPULATION OF THE SPECIAL NORTHERN FRONTIER CAMPS IS CONTINUOUSLY CHANGING, WITH DETENTIONS RANGING FROM A FEW DAYS FOR INTERROGATION TO INDEFINITE PERIODS. EXCEPT FOR SOME OF THE MORE PROMINENT INDIVIDUALS, IT WILL PROBABLY NOT BE POSSIBLE TO IDENTIFY PERSONS IN CATEGORY (4) WITHOUT THE HELP OF THE ZAMBIAN, TANZANIAN OR OTHER GOVERNMENTS CONCERNED. BOWDLER

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Message Attributes

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Control Number: n/a
Copy: SINGLE
Sent Date: 03-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
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Disposition Comment: 25 YEAR REVIEW
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Disposition Event:
Disposition History: n/a
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